

REMARK/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 4, and 6-22 are presently active; Claims 1 and 8-22 having been amended by the present amendment.

Claims 1, 8, 9, 10, 14, 17, 18, 21, and 22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1, 8-10, and 15 were rejected under 35 U.S.C. § 112, second paragraph, as being indeterminate in scope. Claims 9, 10, 13, 14, 17, 18, 21, and 22 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1, 4, 6-10, and 15-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Hamilton et al (U.S. Patent 5,579,055) and Klosterman (U.S. Patent 5,940,073), hereinafter referred to as Klosterman '073, in view of Klosterman (U.S. Pat. No. 5,550,576) and Terasawa et al (U.S. Pat. No. 6,147,714). Claims 11-14 and 19-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al (U.S. Pat. No. 5,559,548) in view of Terasawa et al.

Regarding the 35 U.S.C. § 112, second paragraph, rejection, the present amendment clarifies that the electronic program guide EPG data is altered (or added), according to the predetermined information originated from the first broadcasting station where a camera records the image signal and the EPG data is added, such that the EPG displays, with preference and within a row of the display that includes at least the provider tag and a program name, the provider tag of the first broadcasting station among a plurality of broadcasting stations. These changes are supported by Figure 1 and the written description on pages 7-8 of the specification. Accordingly, Applicants respectively submit that the

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claims are in compliance with 35 U.S.C. § 112, second paragraph, in that these claims particularly point out the subject matter of the invention.

Regarding the 35 U.S.C. § 112, second paragraph, rejection to Claims 1, 8-10, and 15, Applicants submit that these claims conform with standard U.S. claim drafting practice. Claim 1 is an apparatus claim defining “means for” performing the functions defined therein and thus complies with 35 U.S.C. § 112, sixth paragraph, “means for” language. Claim 8 defines a receiving method having “steps for” performing the steps recited and thus complies with 35 U.S.C. § 112, sixth paragraph “step for” language. Claim 9 defines a transmission medium for transmitting a computer program in which, the computer program is configured to cause execution of the steps defined therein. As such, Claim 9 is consistent with M.P.E.P. § 2106 V.A.2, which lists as definite “a computer memory encoded with executable instructions representing a computer program to function in a particular fashion.” Claim 10 defines a similar receiving apparatus with a similar computer program configured to cause execution of the steps defined therein. Claim 15 defines a receiving apparatus defining a number of structural elements whose functions are defined therein. The format of Claim 15 is consistent with M.P.E.P. § 2173.01 which permits Applicant to use functional language to describe his/her invention. Thus, it is respectfully submitted that the 35 U.S.C. § 112, second paragraph, rejection to Claims 1, 8-10, and 15 should be withdrawn.

Regarding the rejection under 35 U.S.C. § 101, Claims 9, 10, 13, 14, 17, 18, 21, and 22 define devices including a computer program configured to cause the execution of steps which permit communication of the image signal with EPG data including predetermined information related to preference of the first broadcasting station where a camera recorded the image signal and added the EPG data. As such, these claims are consistent with M.P.E.P. § 2106 V.A.2, cited above, and constitute new and useful devices. Thus, the 35 U.S.C. § 101 should be removed.

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Regarding the rejection on the merits, Klosterman '073 is cited in the outstanding Office Action for its teaching of promoting a program on a channel (in this case promoting NBC). However, in Klosterman '073, it is *not* NBC (the initial provider of the image signal) that provides the predetermined information for setting preferences, but rather the service provider that promotes NBC in the EPG information. For example, Klosterman '073 teaches that the distribution center 110 and the service provider 140 (see col. 4, lines 28-62) or the satellite 115 in the event of atmospheric interferences (see col. 5; lines 31-47), and not NBC, provide the EPG data. Moreover, Klosterman '073 teaches at col. 6, lines 35-37, that the system operator may charge television program providers (i.e., NBC) an additional fee for promoting and featuring programs in the information region. Hence, Klosterman '073 do not teach or suggest the electronic program guide EPG data is altered (or added), according to the predetermined information originated from the first broadcasting station where a camera records the image signal and the EPG data is added, as defined in the independent claims.

Hence, it is respectfully submitted that the independent Claims 1 and 8-22, and the claims dependent therefrom, patentably define over the applied prior art.

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Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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